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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LABOUR & EMPLOYMENT

NOTIFICATION

New Delhi, the 15th October 1965

S.O. 3253.—In exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), the Central Government hereby makes the following further amendment in the Calcutta Unregistered Dock Workers (Regulation of Employment) Scheme, 1957, the same having been previously published as required by the said sub-section, namely:—

1. This Scheme may be called the Calcutta Unregistered Dock Workers (Regulation of Employment) Amendment Scheme, 1965.

2. In the Calcutta Unregistered Dock Workers (Regulation of Employment) Scheme, 1957 (hereinafter referred to as the said Scheme), in clause 2 the following words shall be added at the end, namely:—

"and to ensure efficient performance of work by the said workers."

3. In clause 3 of the said Scheme, after item (g), the following item shall be inserted, namely:—

"(gg) "Labour Officer" means the Labour Officer appointed under clause 6B of the Scheme."

4. In clause 5 of the said Scheme,

(i) after sub-clause 1(a), the following sub-clause shall be inserted, namely:—

"(aa) to ensure that proper and adequate supervision, as laid down by the Board, over the workers employed on the ships, is provided by the listed employers and that the provisions of the Scheme in regard to the work on vessels are duly complied with."

(ii) in sub-clause 2(b), after the brackets, figure and letter "(1)(a)", the brackets, figure and letters "(1)(aa)" shall be inserted.

5. After clause 6-A of the said Scheme, the following clause shall be inserted, namely:—

"6-B. *Labour Officer.*—The Board shall appoint a Labour Officer who, under the supervision and control of the Administrative Body, shall carry out such functions as may be assigned to him by the Administrative Body consistent with the provisions of the Scheme and shall, in particular, carry out the functions vested in him under clause 14."

6. In clause 8 of the said Scheme, after sub-clause (6), the following sub-clause shall be inserted, namely:—

"(7) Notwithstanding any other provision of this Scheme, the Board-in-meeting may direct the removal of the name of a listed employer who has not transacted any work for two consecutive years:

Provided that before giving any such direction, the Board shall give the employer an opportunity of showing cause why the proposed direction should not be issued."

7. In clause 9 of the said Scheme, after sub-clause (3), the following sub-clause shall be inserted, namely:—

"(3-a) Notwithstanding any other provision of this Scheme, the Board-in-meeting may by order direct the removal permanently or for such period as may be specified in the order, of the name of a listed worker who does not make himself available for work:

Provided that before giving any such direction the Board shall give such listed worker an opportunity to show cause why the proposed direction should not be issued."

8. In clause 11 of the said Scheme, after sub-clause 7, the following sub-clause shall be added, namely:—

"(8) A listed employer shall not pay a listed worker anything in cash or in excess of the wages normally and actually due to the worker."

9. In clause 13-A of the said Scheme, after sub-clause (2), the following sub-clause shall be added, namely:—

"(3) Notwithstanding anything contained in sub-clauses (1) and (2), the Central Government may, determine all or any of the matters referred to in the said sub-clauses on the recommendation of any body set up by it and any such decision of the Central Government shall be final and binding on the Board."

10. In clause 14 of the said Scheme—

(i) after sub-clause 1(a), the following sub-clause shall be inserted, namely:—

"Provided that more than one breach of the provisions of the Scheme shall in any event be reported to the Deputy Chairman.";

(ii) for sub-clause (3), the following sub-clause shall be substituted, namely:—

"(3) (i) A listed dock worker in the pool under the category of Chipping and Painting workers, who fails to comply with any of the provisions of the Scheme. or commits any act of indiscipline or misconduct, may be reported against in writing to the Labour Officer.

(ii) A listed dock worker in the pool of other categories who fails to comply with any of the provisions of the Scheme, or commits any act of indiscipline or misconduct, may be reported against in writing to the Personnel Officer.

(iii) The Labour Officer or the Personnel Officer, as the case may be, after investigating the matter may give him a warning in writing or suspend him for a period not exceeding seven days.";

(iii) in sub-clauses (3-A), (4) and (5), for the words "Personnel Officer", wherever they occur, the words "Labour Officer or Personnel Officer, as the case may be," shall be substituted;

(iv) in sub-clause (5), after the words "or has consistently failed to produce the standard output," the words

"or has violated the provisions of the Scheme more than once" shall be inserted.

11. In sub-clause (1) of clause 16 of the said Scheme, for the words "Personnel Officer", the words "Labour Officer or Personnel Officer, as the case may be," shall be substituted.

[No. 529/43/65-Fac.]

N. N. CHATTERJEE, Jt. Secy.

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